

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

AECOM ENERGY & CONSTRUCTION,
INC.,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,
Defendant.

Case No. 20-2016 C

JOINT STATUS REPORT

On October 18, 2023, the Court entered a new scheduling order and further ordered that the parties “jointly submit a status report every 30 days . . . updating the court on the status of discovery.” ECF No. 35. The Court ordered that the first of these reports is “due on November 16, 2023, and the last due after the close of expert discovery.” *Id.* In accordance with the Court’s order, plaintiff AECOM Energy & Construction, Inc., formerly known as URS Energy & Construction, Inc., (“URS”) and defendant the United States of America (the “Government” or “DOE”) submit this Joint Status Report updating the Court on the status of discovery.

Since the last status conference with the Court, which occurred on October 17, 2023, the Government has produced approximately 3.6 million documents in response to URS’s production requests. This includes approximately one million documents (which were provisionally withheld on presumptive privilege grounds) since the deadline for completion of the Government’s document production on January 10, 2024. Approximately 300,000 of those were produced since the last status report on February 15, 2024. Since the status conference with the Court on October 17, 2023, URS has produced approximately 30,000 documents, all of which were produced on or before January 10, 2024.

The parties continue to withhold certain documents on the basis of potential privilege. The Government is conducting a technology-assisted review on the responsiveness of documents

that it continues to withhold as potentially privileged to try to reduce the number of documents that it will need to either produce as non-privileged or log as privileged. The parties expect to produce some of these documents as they complete their privilege logs and aim to complete and exchange their privilege logs as soon as practicable.

The parties also continue to review the recent productions of documents in preparation for depositions and to identify and attempt to resolve any deficiencies. The parties have also exchanged lists of initial deponents and are conferring about the schedule for depositions.

Respectfully submitted,

s/ Charles C. Speth

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